

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 YOLANDA MADRY,

9 Plaintiff,

10 v.

11 KING COUNTY,

12 Defendant.

C18-402 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable
14 Thomas S. Zilly, United States District Judge:

15 (1) Plaintiff's motion in limine, docket no. 48, is DENIED in part, STRICKEN
16 in part, and DEFERRED in part as follows:

17 1. Motion to allow plaintiff to use videotaped deposition clips during
18 her opening statement is DEFERRED to the pretrial conference;

19 2. Motion to exclude testimony regarding Plaintiff's work performance
20 at employers before and after she was terminated from King County is DENIED;

21 3. Motion to allow plaintiff to control the presentation of her case by
22 calling adverse witnesses, using leading questions, and limiting defendants' "cross
23 examination" of defense witnesses during plaintiff's case in chief is DEFERRED
to the pretrial conference;

4. Motion to exclude hearsay testimony about plaintiff's alleged job
performance that goes beyond the scope of plaintiff's termination letter is
DENIED;

5. Motion to exclude evidence of plaintiff's work performance at
employers before and after she worked at King County is DENIED;

1 6. Motion to exclude evidence of plaintiff's entire medical record file
2 with PacMed is STRICKEN as moot; and

3 7. Motion to exclude evidence of plaintiff's Employment Separation
4 Agreement with Providence is DENIED.

5 (2) Defendants' motion in limine, docket no. 46, is GRANTED in part,
6 DENIED in part, and DEFERRED in part as follows:

7 A. Motion to exclude testimony by plaintiff criticizing the county for
8 exercising its constitutional right to defend itself against her claims is GRANTED;

9 B. Motion to exclude evidence regarding economic loss reports based
10 on evidence which was not timely produced by plaintiff is DENIED;

11 C. Motion to exclude testimony by plaintiff about her own medical
12 conditions beyond her own sensory perceptions. is DEFERRED to the pretrial
13 conference;

14 D. Motion to exclude witnesses not listed in initial disclosures or
15 produced in response to discovery propounded by defendant is GRANTED/
16 DEFERRED as follows:

17 1. Motion to exclude testimony of Unita Knight is GRANTED;

18 2. Motion to exclude testimony of Jeffrey Edwards is
19 GRANTED;

20 3. Motion to exclude testimony of Lee Jones is DEFERRED to
21 the pretrial conference;

22 E. Motion to exclude Dr. Kanter is GRANTED in part. Dr. Kanter will
23 be permitted to testify as a treating physician but will not be allowed to give expert
testimony;

 F. Motion to limit duplicative testimony regarding "emotional distress
is DENIED as moot;

 G. Motion to exclude evidence regarding discrimination claims of other
employees (Lee Jones) who are not "similarly situated" is DEFERRED to the
pretrial conference;

 H. Motion to exclude any evidence, testimony, mention, or argument
concerning non-relevant pseudo comparators is DEFERRED to the pretrial
conference;

1 I. Motion to exclude evidence, testimony, mention, or argument
2 concerning insurance coverage available to defendants is GRANTED;

3 J. Motion to exclude evidence, testimony, mention, or argument
4 concerning settlement negotiations is GRANTED;

5 K. Motion to exclude evidence, testimony, mention, or argument
6 concerning the expenses of litigation. is GRANTED;

7 L. Motion to exclude any argument for political or punitive effect is
8 GRANTED;

9 M. Motion to exclude any argument that jurors should place themselves
10 in the plaintiff's position is GRANTED;

11 N. Motion to exclude any mention or evidence concerning the parties'
12 motions *in limine* or the court's rulings on such motions or previous motions made
13 by the parties is GRANTED;

14 O. Motion to require plaintiff to disclose the order in which she intends
15 to call her witnesses is GRANTED; and

16 P. Motion to exclude evidence of plaintiff's public disclosure lawsuit
17 and settlement is GRANTED.

18 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
19 record.

20 Dated this 7th day of May, 2019.

21 William M. McCool
22 Clerk

23 s/Karen Dews
Deputy Clerk